

COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a

COUNCIL REGULATION (EEC) SERIALS UNIT

on the application of Decision No. /80 of the EEC-Austria, Finland
Norway, Portugal, Sweden, Switzerland (1) Joint Committee amending Protocol
No 3 concerning the definition of the concept of 'originating products' and
methods of administrative cooperation to take account of the accession of
the Hellenic Republic to the Community

DRAFT

JOINT COMMITTEE DECISION

amending Protocol No 3 concerning the definition of the concept of "origi-
nating products" and methods of administrative cooperation to take account
of the accession of the Hellenic Republic to the Community

Proposal for a

COUNCIL REGULATION (EEC)

on the application of Decision No. /80 of the EEC-Iceland Joint
Committee amending Protocol No 3 concerning the definition of the concept
of 'originating products' and methods of administrative cooperation to
take account of the accession of the Hellenic Republic to the
Community

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JOINT COMMITTEE DECISION

amending Protocol No 3 concerning the definition of the concept of "origi-
nating products" and methods of administrative cooperation to take account
of the accession of the Hellenic Republic to the Community

EXPLANATORY NOTE

The adhesion of Greece to the Community has necessitated the negotiation of additional Protocols to the EEC-EFTA Agreements and the ECSC-EFTA Agreements. These additional Protocols direct the Joint Committees to adopt the changes necessary to the origin rules contained in Protocol No 3 to the EEC-EFTA Agreements.

Two sorts of changes are necessary :-

- permanent changes, to take, for example, cognisance of Greek as an official language of the Community, and
- transitional arrangements to take account of the fact that the EFTA countries will have a different rate of duty for ECSC products applicable to Greece and the rest of the Community until 1 January 1986.

The transitional arrangements, which were agreed with all the EFTA countries except Austria, at the time the Additional Protocols were negotiated consist of measures designed to avoid deflection of "Greek" goods via the rest of the Community to the EFTA countries, or via the EFTA countries to the rest of the Community so as to avoid paying the duties applicable to Greece.

These measures consist of a clause saying that duty is chargeable according to the place of issue of the document certifying origin and a clause stipulating that such documents can only be issued in the Community of Nine or in an EFTA country if "Greek" goods are concerned if these goods have paid the duties applicable in intra-community trade or Greek-EFTA trade respectively.

The attached draft model Joint Committee Decisions are suggested as the common Community position in the various EEC-EFTA Joint Committees. The Iceland version is slightly different for technical reasons.

For reasons of simplicity and clarity a model draft Council Regulation applying the Joint Committee Decisions in the Community have been included.

of

on the application of Decision No. /80 of the EEC- (1) Joint Committee
amending Protocol No 3 concerning the definition of the concept of 'originating
products' and methods of administrative cooperation to take account of the accession
of the Hellenic Republic to the Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in
particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and (2) (3)
was signed on (4) and entered into force on (5);

Whereas the Agreement between the Member States of the European Coal and Steel
Community and the European Coal and Steel Community on the one hand and (2) (3)
on the other hand was signed on (4) and entered into force on (5);

Whereas by virtue of Articles (6) respectively of the Protocols, which form
integral parts of the above Agreements to the aforesaid Agreements consequent
on the accession of the Hellenic Republic to the Community, the EEC- (1)
Joint Committee has adopted Decision No /80 amending Protocol No 3 to take
account of the accession of the Hellenic Republic to the Community;

- (1) Austria, Finland, Norway, Portugal, Sweden, Switzerland
- (2) The Republic of Austria, the Republic of Finland, The Kingdom of Norway,
the Portuguese Republic, the Kingdom of Sweden, the Swiss Confederation
- (3) Austria, Sweden, Switzerland : OJ No L 300 of 31.12.1972
Finland : OJ No L 323 of 28.11.1973
Norway : OJ No L 171 of 27.6.1973
Portugal : OJ No L 301 of 31.12.1972
- (4) Austria, Portugal, Sweden, Switzerland : 22 July 1972
Norway : 14 May 1973
Finland : 5 October 1973
- (5) Austria, Portugal, Sweden, Switzerland : 1 January 1973
Norway : 1 July 1973
Finland : 1 January 1974
- (6) Finland, Norway, Sweden : 11 and 9
Switzerland : 10
Austria, Portugal : (Not known)

Whereas it is necessary to apply this Decision in the Community;

HAS ADOPTED THIS REGULATION :

Article 1

For the application of the Agreement between the European Economic Community and
(1), Joint Committee Decision No. /80 shall be applied in
the Community.

The text of the Decision is annexed to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1981.

This Regulation shall be binding in its entirety and directly applicable in all
Member States.

Done at Brussels,

For the Council
The President

(1) The Republic of Austria, the Republic of Finland, the Kingdom of Norway,
the Portuguese Republic, the Kingdom of Sweden, the Swiss Confederation

amending Protocol No 3 concerning the definition of the concept of "originating products" and methods of administrative cooperation to take account of the accession of the Hellenic Republic to the Community

THE JOINT COMMITTEE :

Having regard to the Agreement between the European Economic Community and
(1) signed in Brussels on (2);

Having regard to the Protocol to the aforesaid Agreement consequent on the Accession of the Hellenic Republic to the Community and in particular Article * thereof;

Having regard to the Agreement between the Member States of the European Coal and Steel Community and the European Coal and Steel Community on the one hand and (1) on the other hand, signed in Brussels on (2);

Having regard to the Additional Protocol to this latter Agreement consequent to the accession of the Hellenic Republic to the Community and in particular Article ++ thereof;

Whereas Protocol No 3 concerning the definition of the concept of "originating products" and methods of administrative cooperation needs amending consequent upon Greek accession to the European Communities both in respect of technical amendments and transitional arrangements to correctly implement the trade regime contained in the Protocols consequent on the accession of the Hellenic Republic to the Community,

.../...

(1) the Republic of Austria, the Republic of Finland, the Kingdom of Norway, the Portuguese Republic, the Kingdom of Sweden, the Swiss Confederation.

(2) Austria, Portugal, Sweden, Switzerland : 22 July 1972
Norway : 14 May 1973
Finland : 4 October 1973

* Finland, Norway, Sweden : 11
Switzerland : 10
Austria, Portugal : [not known]

++ Finland, Norway, Sweden : 9
Switzerland : 8
Austria, Portugal : [not known]

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Whereas the transitional arrangements should ensure the correct implementation of this trade regime between the Community as constituted before the accession of Greece (hereinafter referred to as the Community of Nine) and the Hellenic Republic on the one hand and (1) on the other hand,

HAS DECIDED AS FOLLOWS :

Article 1

1. Article 9(5) is amended by the insertion of : " ΕΚΔΟΘΕΝ ΕΚ ΤΩΝ ΥΣΤΕΡΩΝ"
after the phrase "UDSTEDT EFTERFØLGENDE".
2. Article 9(6) is amended by the insertion of the word : "ΑΝΤΙΓΡΑΦΟ"
after the word "DUPLICATE".
3. Article 13(5) is amended by the insertion of the phrase : "απλουστευμένη
διαδικασία"
after the phrase "Vereenvoudigde procedure".
4. Article 24(2) is amended by the insertion of a new indent "Greece"
after the indent "Ireland".
5. Article 25(1)(b)(1) and (c) are amended by the insertion of the phrase
"Ireland, or from Greece" instead of the phrase "or from Ireland".
6. Article 25(2) is amended by the insertion of the phrase : "ΕΦΑΡΜΟΓΗ ΑΡΘΡΟΥ 25.1"
after the phrase "ART.25.1 OPFYLDT".

.../...

(1) The Republic of Austria, the Republic of Finland, the Kingdom of Norway, the Portuguese Republic, the Kingdom of Sweden, the Swiss Confederation.

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Article 2 (1)

1. Article 23(1) is amended by the addition of a new subparagraph as follows :
"However, drawback of customs duty or benefit from an exemption from customs duty of whatever kind shall not be afforded to any originating products covered by the ECSC- (2) Agreement coming from Greece whether these products are used in the manufacturing of products in the Community of Nine or in (2) or re-exported in the same state from these territories with an EUR.1 certificate or form EUR.2 issued or completed in the Community of Nine or in (2). "
2. Article 25 is amended by the addition of a paragraph 5 as follows :
"Where by virtue of Article 3 (3) of the Additional Protocol to the ECSC- (2) Agreement, a different tariff treatment is reserved for imports into (2) from Greece or the Community of Nine the special treatment reserved for Greece shall apply to all products originating in the Community accompanied by a movement certificate EUR.1 issued in or a form EUR.2 made out in Greece. "
3. Explanatory Note 8 of Annex I is amended by the addition of the following after the first subparagraph :
"For the purposes of Article 23 (1) the expression used in the second subparagraph "exemption of customs duty of whatever kind" also means in the case of goods re-exported in the same state the application of the regimes applicable to free ports, customs warehouses or transit through (2) or the Community en route for another destination and any other regime where customs duty is only charged if the goods are retained for home use. "

Article 3

This Decision shall enter into force on 1 January 1981.

Done at Brussels,

For the Joint Committee

The President

-
- (1) Article 2 shall apply until 31 December 1986.
 - (2) Austria, Finland, Norway, Portugal, Sweden, Switzerland.
 - (3) Austria and Portugal, not known

JOINT DECLARATION (to be adopted by each Joint Committee) :

" The contracting parties declare that the transitional measures adopted by Joint Committee Decision No /80 to Protocol No 3 to take account of the accession of the Hellenic Republic to the Community shall be examined, and if necessary revised, at the request of either partner, if experience has shown that the measures adopted have not been sufficient to prevent significant deflection of trade in relation to the transitional trade provisions adopted in the additional Protocol to the ECSC- (1) Agreement".

(1) Austria, Finland,

Norway, Portugal, Sweden, Switzerland

of

on the application of Decision No. /80 of the EEC-Iceland Joint Committee amending Protocol No 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation to take account of the accession of the Hellenic Republic to the Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and the Republic of Iceland (1) was signed on 22 July 1972 and entered into force on 1 January 1973;

Whereas the Agreement between the Member States of the European Coal and Steel Community and the European Coal and Steel Community on the one hand and the Republic of Iceland (2) on the other hand was signed on 22 July 1972 and entered into force on 1 April 1973;

Whereas by virtue of Article 12 of the Protocol, which forms an integral part of the Agreement, to the former Agreement consequent on the accession of the Hellenic Republic to the Community, the EEC-Iceland Joint Committee has adopted Decision No /80 amending Protocol No 3 to take account of the accession of the Hellenic Republic to the Community;

(1) OJ No L 301, 31.12.1972, p. 2

(2)

Whereas it is necessary to apply this Decision in the Community;

HAS ADOPTED THIS REGULATION :

Article 1

For the application of the Agreement between the European Economic Community and Iceland, Joint Committee Decision No. /80 shall be applied in the Community.

The text of the Decision is annexed to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1981.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President

JOINT COMMITTEE DECISION No /80 of 1980

amending Protocol No 3 concerning the definition of the concept of "originating products" and methods of administrative cooperation to take account of the accession of the Hellenic Republic to the Community.

THE JOINT COMMITTEE :

Having regard to the Agreement between the European Economic Community and the Republic of Iceland (1) signed in Brussels on 22 July 1972;

Having regard to the Protocol to the aforesaid Agreement consequent on the Accession of the Hellenic Republic to the Community and in particular Article 10 thereof;

Having regard to the Agreement between the Member States of the European Coal and Steel Community and the European Coal and Steel Community on one hand and the Republic of Iceland on the other part (2), signed in Brussels on 22 July 1972;

Having regard to the Additional Protocol to this latter Agreement consequent to the accession of the Hellenic Republic to the Community and in particular Article 3 thereof;

Whereas Protocol No 3 concerning the definition of the concept of "originating products" and methods of administrative cooperation needs amending consequent upon Greek accession to the European Communities both in respect of technical amendments and transitional arrangements to correctly implement the trade regime contained in the Protocol consequent on the accession of the Hellenic Republic to the Community,

(1) OJ No L 301, 31.12.1972, p. 2

(2)

Whereas any transitional arrangements should ensure the correct implementation of the trade regime between the Community as constituted before the accession of Greece (hereinafter referred to as the Community of Nine) and the Hellenic Republic on the one hand and the Republic of Iceland on the other hand,

HAS DECIDED AS FOLLOWS :

Article 1

1. Article 9(5) is amended by the insertion of : "ΕΚΔΟΘΕΝ ΕΚ ΤΩΝ ΥΣΤΕΡΩΝ"
after the phrase "UDSTEDT EFTERFØLGENDE".
2. Article 9(6) is amended by the insertion of the word : "ΑΝΤΙΓΡΑΦΟ"
after the word "DUPLICATE".
3. Article 13(5) is amended by the insertion of the phrase : "απλουστευμένη διαδικασία"
after the phrase "Vereenvoudigde procedure".
4. Article 24(2) is amended by the insertion of a new indent "Greece"
after the indent "Ireland".
5. Article 25(1)(b)(1) and (c) are amended by the insertion of the phrase "Ireland, or from Greece" instead of the phrase "or from Ireland".
6. Article 25(2) is amended by the insertion of the phrase : "ΕΦΑΡΜΟΓΗ ΑΡΘΡΟΥ 25.1"
after the phrase "ART.25.1 OPFYLDT".

.../...

Article 2 (1)

1. Article 23(1) is amended by the addition of a new subparagraph as follows :
"However, drawback of customs duty or benefit from an exemption from customs duty of whatever kind shall not be afforded to any originating products covered by the ECSC-Iceland Agreement coming from Greece whether these products are used in the manufacturing of products in the Community of Nine or in Iceland or re-exported in the same state from these territories with an EUR.1 certificate or form EUR.2 issued or completed in the Community of Nine or in Iceland".
2. Article 25 is amended by the addition of a paragraph 5 as follows :
"Where by virtue of an exchange of letters carried out in accordance with Article 3 of the Additional Protocol to the ECSC-Iceland Agreement, a different tariff treatment is introduced for imports into Iceland from Greece or the Community of Nine the special treatment reserved for Greece shall apply to all products originating in the Community accompanied by a movement certificate EUR.1 issued in or a form EUR.2 made out in Greece. "
3. Explanatory Note 8 of Annex I is amended by the addition of the following after the 1st sub-paragraph :
" For the purposes of Article 23(1) the expression used in the 2nd Sub-paragraph "exemption of customs duty of whatever kind" also means in the case of goods re-exported in the same state the application of the regimes applicable to free ports, customs warehouses or transit through Iceland or the Community en route for another destination and any other regime where customs duty is only charged if the goods are retained for home use. "

Article 3

This Decision shall enter into force on 1 January 1981.

Done at Brussels, 1980

For the Joint Committee

The President

(1) Article 2 shall apply until 31 December 1986.

JOINT DECLARATION (to be adopted by the Joint Committee) :

" The contracting parties declare that the transitional measures adopted by Joint Committee Decision No /80 to Protocol No 3 to take account of the accession of the Hellenic Republic to the Community shall be examined, and if necessary revised, at the request of either partner, if experience has shown that the measures adopted have not been sufficient to prevent significant deflection of trade in relation to any transitional trade provisions adopted in accordance with the additional Protocol to the ECSC-Iceland Agreement".

